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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,012	02/15/2002	Virinder M. Batra	RSW920010183US1	3519

7590

03/02/2006

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CHRISTOPHER & WEISBERG P.A  
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SUITE 2040  
FT.LAUDERDALE, FL 33301

EXAMINER
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CHOUDHURY, AZIZUL Q

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/077,012	BATRA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Azizul Choudhury	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

***Detailed Action***

This office action is in response to the correspondence received on December 15, 2005.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "generic" is considered broad and indefinite.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Requena (US Pat No: US 20020126701A1).

1. With regards to claims 1 and 5, Requena teaches a method of processing requests from location-based service applications for location-based services provided by a

plurality of disparate location-based service providers, different ones of said plurality of disparate location-based service providers specifying different formats for receiving said requests, comprising the steps of the location service: receiving requests for location based-services (Requena teaches a design allowing location based services to receive requests from users (paragraphs 12-16, Requena)); determining from each said request a particular location-based service provider which can service said request (paragraphs 15-16, Requena); specifically formatting each said request according to a specific format specified, by said particular location-based service provider (It is inherent in a networking design that data is converted when transferred between two networked devices. Plus see paragraphs 75, 105 and 130, Requena); uniformly formatting each result set produced from corresponding ones of said requests; and, to forwarding said uniformly formatted result sets to the location-based service applications (It is inherent in a networking design that data is converted when transferred between two networked devices. Plus see paragraphs 75, 105 and 130, Requena).

2. With regards to claims 2 and 6, Requena teaches the method wherein said uniformly formatted result sets are result sets which have been formatted according to the Geography Markup Language (GML) (Requena's design allows for the use of Geography Markup Language (paragraph 120, Requena).

3. With regards to claim 3, Requena teaches a common location-based service adapter interface, comprising: a uniform input interface through which location-based services can be requested using a uniform format which is independent of any specific formatting required by a particular service adapter configured to process said location-based services; and, a uniform output interface through which specifically formatted result sets can be formatted using said uniform format, wherein said uniform input interface adapted to be connected to different service adapters specifying different formats for receiving requests (It is inherent in a networking design that data is converted when transferred between two networked devices. Plus see paragraphs 75, 105 and 130, Requena).
4. With regards to claim 4, Requena teaches the common location-based service adapter interface wherein said uniform input interface comprises: a plurality of location-based service adapter objects, each said adapter object being configured to provide said at least one location-based service responsive to receiving a uniformly formatted location-based service request (See paragraphs 12, 15-16, Requena); a location service object configured to provide a reference to a particular one of said location-based service adapter objects based upon a specified location-based service (See paragraphs 91-92, Requena); and, a plurality of location request objects configured to define location-based service request parameters required by generic ones of said location-based service adapter objects (See paragraphs 91-92, Requena).

### ***Response to Remarks***

The correspondence received on December 15, 2005 has been carefully examined but is not deemed fully persuasive. After reviewing the amended claims against the prior art issued, the examiner contends that the claimed invention continues to fail in overcoming the prior art. The office action has been revised in an attempt to clarify the examiner's position. As for the remarks made, they are addressed below.

The first issue of concern involves the selection of a location-based service provider. The prior art teaches that a plurality of location-based service providers exist in the design (paragraphs 12-16, Requena). It is well known that since multiple location-based service providers exist and only one is needed to serve the request, that one out of the plurality is selected.

The second issue concerns the inherency rejections made. The examiner has currently cited portions of the reference in addition to the inherency rejections. In addition, the examiner continues the inherency rejection because it is inherent in a networking design that data is converted when transferred between two networked devices. The examiner would also like to remind the applicant's representative that inherency is applied in a rejection when a feature is known in the art to be mandatory. Finally, when reading prior art, it is important to not only attain a literal interpretation of the disclosure but to also attain an understanding of the spirit of the design.

### ***Conclusion***

Art Unit: 2145

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC

  
JASON CARDONE  
SUPERVISORY PATENT EXAMINER